

MINUTES**RECOMMENDATIONS FOR CONTRACT AWARDS/REJECTIONS****Bureau of Purchases**

5. B50005017, Background Kentech Consulting \$1,975,000.00
Investigations Inc.

ON MAY 17, 2017, MWBOO SET GOALS OF 11% MBE AND 5% WBE.

Kentech Consulting Inc. was found non-compliant on September 8, 2017. Kentech Consulting Inc. is a certified MBE in Chicago, IL. It is recommended that Kentech Consulting Inc. be given ten days to submit a plan to come in compliance.

Bidder did not achieve the MBE/WBE goals. Bidder listed themselves as self-performing on this contract; however, Kentech Consulting Inc. is not certified as a MBE with Baltimore City. Bidder also requested a waiver of the WBE goal, however they did not exercise good faith efforts in meeting the goal.

MWBOO FOUND VENDOR IN NON-COMPLIANCE.

A PROTEST WAS RECEIVED FROM HUGHES BARNEY INVESTIGATIONS.

**SDB MDOT MBE/DBE MINORITY WOMAN-OWNED BUSINESS**

9315 Largo Drive West Suite 100 Largo, Maryland 20774

Office: 301-333-1728 Fax: 301-333-1729

Email: jhughes@hbinvestigations.comwww.hbinvestigations.com

Clerk, Board of Estimates Room 204,
City Hall 100 N. Holliday Street
Baltimore, Maryland 21202

Dear Bureau of Purchasing,

My name is Jeanette Hughes and I am the President of Hughes Barney Investigation. I am writing to protest the award of RFP B50005017 due to the fact that the company who we were competing against that was recommended for the award did not meet the MBE or WBE requirements. I also am concerned that I never received any communication or information, written or verbal, about the outcome of this award. Please feel free to contact me at 301-333-1728 or at jhughes@hbinvestigations.com.

Respectfully,


Jeanette Hughes, President/CEO
Hughes Barney Investigations

MINUTES

President: "The first item on the non-routine agenda can be found on Page 102, item 5, Bureau of Purchases Recommendation for Contract Award B50005017, Background Investigations. Will the parties please come forward?"

Mr. Kenneth Coates: "Good morning."

President: "Good morning."

City Solicitor: "Good morning."

Ms. Erin Sher-Smyth: "Good morning Madam Mayor, honorable members of the Board. Erin Sher-Smyth, Bureau of Purchases. I do have the Baltimore Police Department with me as well as our recommended vendor, Kentech Consulting, as I know there were some concerns about the vendor's commitment to coming into compliance. We are convinced that this vendor is highly qualified and uh -- they did uh -- make some mistakes on their MBE forms requesting the ability to self-perform. However, they have since been working on coming into compliance and if we'd like to hear from the vendor um -- directly we can do that. Otherwise, I think if we want to discuss the commitment to uh -- bringing high quality Background Investigative Services to the Baltimore Police Department, I'd like to introduce ah -- Major Handley."

MINUTES

President: "I have some questions first. I have questions."

Ms. Sher-Smyth: "Yes."

President: "Um -- can you prescribe -- can you describe the purpose of this contract?"

Ms. Sher-Smyth: "The purpose of this contract is to outsource background investigations, so that the backlog of hiring can be um -- reduced or even eliminated. In this situation, we're looking for a professional firm who has done similar background investigations for hiring police officers."

President: "Okay. How many firms bided on this contract?"

Ms. Sher-Smyth: "Only two."

President: "And why is that?"

Ms. Sher-Smyth: "I'm not sure. We actually had a very large number of firms on the bidder's list including many local firms, but only two submitted pro -- bids."

President: "Okay. Um -- can we see the tabulation sheets?"

Ms. Sher-Smyth: "Yes. I'm sorry give me a moment."

President: "And while you are doing that, who is the lowest bidder?"

MINUTES

Ms. Sher-Smyth: "Ah -- the lowest bidder uh -- looking at price alone was Hughes Barney. However, they were not the lowest responsive responsible bidder. We determined that they were not a responsible bidder. We did not feel that they had uh -- in any way demonstrated that they had the expertise or capacity or understanding of the scope to satisfy the City's requirements."

President: "Okay, well while you are finding the sheets um -- my other question is um -- they -- they were found non-compliant uh --by MWBOO uh -- because they didn't achieve the goals, and they listed -- they listed themselves as self-performing and we know that they're certified in Chicago, but not certified in Baltimore."

Ms. Sher-Smyth: "That is correct."

President: "So, are they going to get certified in Baltimore, and will they have an office here in Baltimore?"

Ms. Sher-Smyth: "My understanding is they are. However, I would prefer that the vendor speak to that directly."

President: "Okay."

Ms. Sher-Smyth: "I will pass up the bid tabulation sheet."

MINUTES

President: "And how was these ah -- how was these tabulated in order to come up with who you are going to recommend the contract to? Because you know how I feel about local uh -- folk getting these contracts."

Ms. Sher-Smyth: "I -- I do. Um -- so the -- the two bidders -- one was located in Chicago, that's the recommended awardee. The other is located in Largo, Maryland. Uh -- they were the lower bidder. However, review of their experience that they submitted showed that they did not in any way meet the requirements of the City. They did provide examples of their experience. However, it was not of the type that we were expecting or, in fact that I feel that the City requires."

President: "So, what type of experience did they have that um -- Hughes Barney did not have. And why was Hughes Barney's um -- bid thrown out?"

President: "So, the recommended vendor, Kentech Consulting, has experience working directly with large urban Police Departments such as New York Police Department, Chicago Police, Chicago Fire, uh --LA Personnel Department. Uh -- we felt that those showed that they could handle the capacity and the complexity of the work. Uh -- the other vendor did not have any such uh -- experience."

MINUTES

President: "Well, who -- who um -- did they find to be their MBE and WBE?"

Mr. Coates: "Good morning --"

President: "Good morning."

Mr. Coates: "-- Honorable Mayor. Uh -- greetings from Chicago. I'm glad to be here. Um -- the two that we found -- we actually found the MBE and the WBE --"

President: "Pull the mic up."

Mr. Coates: "Yes, okay."

City Solicitor: "Would you identify yourself please?"

Mr. Coates: "Yes. My name is Kenneth Coates. I'm the founder and CEO of Kentech. Ah -- the -- the MBE we found is Legal Associates. Ah -- its Mr. Price, Patru -- Charles Price and then the WBE is uh -- I can't think of her name, now Laurie Patro -- Patrobol. Ah -- but she's a WBE ah -- locally here ah -- certified. So, we -- we plan to use both of those."

MINUTES

President: "Okay. Because I am very interested in that um -- and also in making sure that um -- since they said that we didn't have um -- her -- Hughes Barney I don't even know who they are. Are they are here? Okay. I don't even know who they are. But uh -- I just wanted to make sure we have experienced people that are doing these jobs. And my question is how would you manage it from Chicago?"

Mr. Coates: "Well two things, we're actually uh -- going to get an office here. We're in the process of getting a lease here and an office. Um -- we understand strong community uh -- support. So, part of our agenda is also not only to use the MBE/WBE uh -- in addition, we will be see -- seeking our own MBE. Not sure if it would qualify or not, but that is our is our intention. Uh -- and then third um -- our -- our goal is to actually hire local. So, we've begun uh -- posting for positions of Field Investigators which we will need as well."

President: "Well, why did you ask for a waiver?"

MINUTES

Mr. Coates: "Ah -- well at the time we didn't realize that our MBE would not uh -- be in compliance as ah -- be -- established as a local MBE?"

President: "Okay."

Mr. Coates: "Because we're -- we're -- I'm sorry -- we're -- we're certified with Chicago, LA, New York. Uh -- we're also certified on the federal level as an 8A firm uh -- as well as another organization called NMS DC and we had thought, at the time, our hope was that one those certifications would uh -- be in compliance. But, we were told it was not."

President: "Okay. I -- I can hear from you uh -- Major Handley."

Major Handley: "Good morning Sir."

President: "Good morning."

Major Handley: "Good morning Madam Mayor. So, as you know we have at least 200 people that leave the Police Department every year. In the past 15 years, we have not been able to keep up the attrition rate or have we had the ability to hire and fill the current vacancies. Right now, with the number of applications that we are getting in the City, I believe we can do this. The issue

MINUTES

we're facing is, the recruitment unit's staff has been cut in half over the past three years. I don't have the um -- staff to be able to do this, and the staff that I do have works at a much slower pace than the outside vendor can. The outside vendor has committed to completing Background Investigations in one month. This does not mean that I will be removing Background Investigators from the recruitment unit. This will be a joint effort. What Kentech has committed to do, is do the work that takes my Background Investigators months to do, because they are working so many cases. I only have 12 Background Investigators. By outsourcing, I'm going to have double and triple the number of Background Investigators to do the lengthy work, the sending out the references, the checking with other law enforcement agencies, getting police reports. It's really the boots on the ground work that we need done. So, the good news is, Baltimore residents have applied at a much higher rate this years than at any time in the past. Compared to last year, we're up a 145% in applications in Baltimore. The problem is our background investigations take so long, that we

MINUTES

lose those applicants to other police departments. By speeding up our process, I'm confident that we're be able to hire them. Now, our African-American applicants are up 163% this year compared to last year. To enable us to be able to improve the hiring, we have to do it quickly so we don't lose quality candidates to other departments. That's why we really need to outsource the background investigations. And just this year, just looking at this, what I really wanted to see is how does this actually translate? How do the applicants in 2017 -- we have these great increases in diversity and City residents in 2017 -- as far as the applications go -- how does that work on the end when we are hiring? Well, when I look at it -- so for people who have applied in 2017, we've hired 30 of those."

President: "Out of how many?"

Mr. Handley: "Out of how many applications?"

President: "Yes."

Mr. Handley: "It's well over 1,000. It's 1,180, Sir."

President: "We only -- we only hired 30?"

MINUTES

Mr. Coates: "Yes. Because the back -- the whole hiring process when I first took over took about a year and a half, from application, civil service test date to hire, took about a year and half. We're down to about a year to um -- a year and a half now. Excuse me, six months to a year now. So, when you look at that, it --"

President: "So -- so -- so let's back up a minute."

Mr. Handley: "Um."

President: "You said, um -- only 30 been hired, right?"

Mr. Handley: "Out of the --"

President: "Okay. Out of the 30, I mean before you got to the 30, how many was disqualified? That's the number I want."

Mr. Handley: "So, I don't have that right now, but what I do have are some pretty impressive statistics that show the change in the recruitment unit and how this is going to work, if you will allow me to proceed."

President: "You can go ahead."

Mr. Handley: "So, out of those 30 people we've hired that have applied in 2017, 13 of those or 43% are City residents. We've

MINUTES

never hired that many City residents, as a percentage out of all of our hires. Out of those --"

President: "So, then you guys are doing a good job. Madam Mayor go ahead."

Mayor: "Let me just say a couple of things. First, um -- ah -- as a Bloomberg City one of the things we focused on was the background checks, because when we looked at what was slowing the process, it was the background checks. We've actually got about 181 more than -- in the Academy or are getting ready to hit the streets, more than we've had since 2004. And so, one of the things that we did as a Bloomberg City was to have them focus on what was slowing down that process, and the background check was the biggest thing that was slowing down the process uh -- process. Let me just say to you, um -- I understand that you would have thought that we would have waived into ah -- MBE/WBE status and we would have -- we're moving towards that. Ah -- if you are certified in another state, if you are certified in another jurisdiction, you know, it makes it a quicker process. So, you need to get through that

MINUTES

process as quickly as you can. But, we do require that you have an office in the City. Um --

Major, I understand where we're going with this and as I've said before ah -- we've worked very hard just in this last 10 months to figure out how do we get more folks in the City -- you've been able to do that. But, I also know that this is something that we're trying to get the Police Department out of, because we need police officers on the streets, and I know that part of -- of your ah -- shrinking of your particular department was also to get some more patrol officers on our streets. So, we thank you for that. Uh -- this is a tedious process, and I've asked that we do speed it up because we've got to get more police officers on the street. This is the first year um -- Mr. President, that we surpassed the attrition rate. Ah -- we were losing more officers than we were hiring. Ah -- 181 currently at one stage or another uh -- in the Academy, or as you said, the 30 that are now on the street, which will give us close to almost 200 officers. Uh -- and then when we talk about the ah -- taking some of those officers who are doing uh -- desk work or administrative work and -- and looking at how

MINUTES

do we create more patrols -- we're currently at 2,500. Am I correct?"

Mr. Handley: "That's correct, Madam Mayor."

Mayor: "And, um -- I think in our peak we were around 3,200. So, we're still not where we ah -- should be or were. Ah -- but we do have this backlog that I think is strangling ah -- the hiring of police officers and we need to move in that direction, Mr. President."

President: "Thank you. Well um -- I would like for you guys to come back in 90 days to let us know how you are doing with this program and um -- and -- and how many people are actually being moved through the process so that we can look at apples to apples. Okay?"

Mr. Handley: "Yes Sir."

President: "And um -- that's all I have. I'll be voting **NO** on this contract."

Mr. Handley: "Thank you Madam Mayor."

President: "I entertain a Motion if no one else have any questions"

City Solicitor: "Mr. President, I MOVE that we deny the protest."

MINUTES

Director of Public Works: "Second."

President: "Um -- All in favor say AYE. All opposed NAY. Now, we have to move the contract forward. Anybody going to entertain a Motion?"

City Solicitor: "Move we approve the uh -- submission for Kentech."

Mr. Coates: "Thank you."

Director of Public Works: "Second."

Deputy Comptroller: "Excuse me Mr. President, are you going to add to that Motion the 90 days?"

President: "Yeah, we're going to add to that Motion um -- that they --"

Deputy Comptroller: "That it be amended."

President: "Yeah, we're going to amend that um -- um -- motion to reflect that in 90 days you will come back before this Board."

City Solicitor: "Yes."

President: "Second?"

Director of Public Works: "Second."

President: "All those in favor say AYE. All opposed NAY. Please note Council President Young is a **NO.**"

* * * * *